

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEW MEXICO**

UNITED STATES OF AMERICA,

Plaintiff,

v.

No. 1:21-cr-00524-KWR-2

LUIS MARISCAL-LOPEZ,

Defendant.

ORDER GRANTING RULE 17(c) SUBPOENAS DUCES TECUM

THIS MATTER IS BEFORE THE COURT on Defendant's *Unopposed Motion for Rule 17(c) Subpoenas Duces Tecum*, filed September 2, 2022 [Doc. 126]. The Court having considered the motion, being fully advised in the premises and in the light of the circumstances finds that Defendant has, by his motion, created a sufficient record to justify granting the motion to issue Rule 17(c) subpoenas.

IT IS THEREFORE ORDERED that Mr. Mariscal-Lopez's request for Rule 17(c) subpoena is **GRANTED** as follows:


1. The requested materials shall be made returnable to the Court at the following address:

Chambers of Judge Kea W. Riggs
United States District Court House
333 Lomas Blvd NW, Suite 740
Albuquerque, NM, 87102

1. The requested materials shall be due no later than seven (7) days from the date of receipt of the subpoena by the third-party.
2. The third-party shall have seven (7) days from the date the subpoena is received to file a motion to modify or quash the subpoena in accordance with Rule 17(c)(2). If the objecting party files a motion to quash the subpoena as to some but not all of the documents requested, those documents not subject to an objection shall be produced no later than seven (7) days from the receipt of the subpoena by the third-party.
3. Once the subpoena is finalized, defense counsel may proceed to submit it to the Clerk of the United States District Court for the District of New Mexico for issuance.

4. The Clerk's Office shall issue the subpoena, and once it has been issued, the Clerk's Office shall contact defense counsel.
5. Defense counsel shall be responsible for arranging the service of the subpoena. Pursuant to Rule 17(d), a marshal, a deputy marshal, or any nonparty who is at least 18 years old may serve it.
6. Upon receipt of the responsive materials, the Court will notify both parties that the documents are available for inspection and copying.
7. The cost of process, fees, and expenses associated with service of the subpoena shall be paid as if the subpoenas were submitted by the government.

IT IS SO ORDERED.


KEA W. RIGGS
UNITED STATES DISTRICT JUDGE

Submitted by:

/s/ Ryan J. Villa
RYAN J. VILLA
Attorney for the Defendant